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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/283,285	04/01/1999	MASAKI OKADA	35.C8672CONT	9764

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EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 12/02/2003

21

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/283,285

Applicant(s)

OKADA, MASAKI

Examiner

Bob Chevalier

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13-20.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Priority

1. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.
2. In view of the new ground of rejection provided below, the finality of the previous Office Action is herenow withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-14, and 16-17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura et al in view of Tsukasa (JP406319076).

Yoshimura et al discloses an image recording/reproducing apparatus that shows substantially the same limitations recited in claims 13, and 16, including the feature of reproducing data from a medium on which multi-frame data and data of a number of frames comprising the multi-frame data are recorded (See Yoshimura et al's Figure 8, component 116), the feature of processing the multi-frame data on the basis of the data of the number of frames reproduced in the reproducing step wherein the multi-frame data represents a multi-frame composed of plural rectangular frames each being of the same size as specified in the present claims 13, and 16. (See Yoshimura et al's Figure 12, and column 10, lines 63-68).

Yoshimura et al fails to specifically disclose the feature of enlarging one of the plurality of pictures as specified in the present claims 13, and 16.

Tsukasa discloses a multi-picture display apparatus which includes the capability of enlarging one of the plurality of reproduced/displayed pictures as specified in the present claims 13, 16. (See the paragraph entitled "Constitution" shown in Tsukasa).

It would have been obvious to one skilled in the art to modify the Yoshimura et al's apparatus wherein the reproducing/displaying means provided thereof would incorporate the capability of enlarging one of the plurality of reproduced/displayed pictures in the same manner as shown by Tsukasa. The motivation being to increase the size of the picture so as to have a better view of the displayed picture as suggested by Tsukasa.

With regard to claims 14, and 17, the feature of the medium being a disk-recording medium as specified thereof is present in the proposed combination of Yoshimura et al and Tsukasa. (See Yoshimura et al's Figure 8, component 116).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15, and 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura et al and Tsukasa as applied to claims 13-14, and 16-17 above, and further in view of Official Notice.

The proposed combination of Yoshimura et al and Tsukasa indicated above discloses an image recording/reproducing apparatus that shows substantially the same limitations recited in claims 15, and 18, including the feature of recording multi-frame data on a recording medium as specified in the present claims 15, 18. (See Yoshimura et al's Figure 8, component 116).

The proposed combination fails to specifically disclose the feature of the multi-frame data as being compressed data as specified in the present claims 15, and 18.

Examiner takes Official Notice in that it is notoriously well known in the video recording/reproducing art to compressed image data before recording the same on the recording medium as specified in the present claims 15, and 18.

It would have been obvious to one skilled in the art to modify the proposed combination's recording/reproducing apparatus wherein the recording/reproducing means provided thereof (See Yoshimura et al's Figure 8, component 140, 142, 116) would incorporate the capability of a compressing means for the purpose of compressing the image data before recording the same on the recording medium in the same conventional manner as is well known in the video recording art. Examiner has taken Official Notice. The motivation being to increase the recoding density of the recording medium as suggested in the prior art.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsukasa (JP406319076).

Tsukasa discloses an image pickup apparatus that shows all the limitations recited in claim 19, including the feature of memory which stores a number of reduced images (See Tsukasa's Figure 3, components 13, and 17), the feature of selecting one of the reduced images and enlarging the one selected reduced picture and displaying the enlarged image as specified in the present claim 19. (See Tsukasa's Figure 3, components 2b, and 2d, and the paragraph entitled "Constitution").

With regard to claim 20, the feature of the pictures having the same size as specified thereof would be present in Tsukasa. (See Tsukasa's Figures 1, 2, 5, and 6).

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Katayama et al.

Katayama et al discloses an image pickup apparatus that shows all the limitations recited in claim 19, including the feature of memory which stores a number of reduced images (See Katayama et al's Figure 1, components 5-7, and 26), the feature of selecting one of the reduced images and enlarging the one selected reduced picture and displaying the enlarged image as specified in the present claim 19. (See Katayama et al's Figure 1, component 2, and see Katayama et al's column 4, lines 36-39).

With regard to claim 20, the feature of the pictures having the same size as specified thereof would be present in Katayama et al. (See Katayama et al's Figures 4-5).

Response to Arguments

10. Applicant's arguments filed 11/10/03 have been fully considered but they are not persuasive.

Regarding the Applicant's argument in that the proposed combination of Yoshimura '851 and Tsukasa JP '076 is improper because it fails to disclose the feature of processing the multiframe data to operably enlarge one of the plurality of displayed pictures, Examiner disagrees. It is noted that the proposed combination of Yoshimura and Tsukasa indicated above is proper because Tsukasa clearly disclose the capability of displaying a multipicture on a display device and the capability of enlarging one of the displayed pictures as claimed. Applicant's attention is directed to the last sentence from the paragraph entitled "Constitution" of Tsukasa.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Both Kakegawa and Enokida disclose an image processing apparatus which includes the feature of enlarging reduced pictures displayed on a display means.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-

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4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

B. Chevalier
November 25, 2003.